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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **ANDREW J. TOTI**
Application Serial No.: **10/693,263**
Filing Date: **10/23/2003**
For: **CONTROL ROD MECHANISM AND SYSTEM**

Attorney Docket: **50534.3**
Examiner:
Hansen, Colby M.
Art Unit: **3682**

REPLY TO 04/07/2006 NOTICE

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is xx being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300, on August 8, 2006.

Philip A. Dalton 8/8/06
Philip A. Dalton (person signing Certificate)

Sir:

This is in response to the **NOTICE REQUIRING EXCESS CLAIMS FEES**, PTOL-319, dated 04/07/2006 (hereafter "NOTICE"), which indicated a fee of "\$200.00 is due for claims."

Please charge any fee properly required by the NOTICE for excess claim(s) to the undersigned's deposit account, 04-0039 (ref 505343). A copy of this fee authorization is enclosed..

The NOTICE is believed directed to the AMENDMENT mailed 02/21/2006 (hereafter "AMENDMENT"), which added 1 dependent claim, dependent claim 6, increasing the total number of claims from 5 to 6. That AMENDMENT did not add an independent claim.

It is believed the requirement in the NOTICE of a fee of \$200.00 for excess claims is based on the erroneous conclusion that the AMENDMENT added an independent claim. Reconsideration of and withdrawal of the requirement of the \$200.00 fee for excess claims are requested.

Respectfully submitted,
LAW OFFICE OF PHILIP A. DALTON

Date: 08 August 2006

By Philip A. Dalton 8/8/06
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